

Attorney's Docket No.: 219_36816X00

PATENT

Intel Docket No.: P-6714

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION
(FOR INTEL CORPORATION PATENT APPLICATIONS)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled ADAPTIVE PREFETCH of I/O Data

the specification of which

X is attached hereto.
_____ was filed on _____ as
United States Application Number _____
or PCT International Application Number _____
and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| <u>Prior Foreign Application(s)</u> | | | <u>Priority Claimed</u> | |
|-------------------------------------|--------------------|---------------------------------|-------------------------|----|
| _____ (Number) | _____ (Country) | _____ (Day/Month/Year Filed) | Yes | No |
| _____ (Number) | _____ (Country) | _____ (Day/Month/Year Filed) | Yes | No |
| _____ (Number) | _____ (Country) | _____ (Day/Month/Year Filed) | Yes | No |

I hereby claim the benefit under title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below

| | |
|-------------------------------|----------------------|
| _____ (Application Number) | _____ Filing Date |
| _____ (Application Number) | _____ Filing Date |

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|-------------------------------|----------------------|---|
| _____ (Application Number) | _____ Filing Date | _____ (Status – patented, pending, abandoned) |
| _____ (Application Number) | _____ Filing Date | _____ (Status – patented, pending, abandoned) |

I hereby appoint Donald R. Antonelli, Reg. No. 20,296; David T. Terry, Reg. No. 20,178; Melvin Kraus, Reg. No. 22,266; William I. Solomon, Reg. No. 28,565; Gregory E. Montone, Reg. No. 28,141; Ronald J. Shore, Reg. No. 28,577; Donald E. Stout, Reg. No. 26,422; Alan E. Schiavelli, Reg. No. 32,087; James N. Dresser, Reg. No. 22,973; Carl I. Brundidge, Reg. No. 29,621 and Paul J. Skwierawski, Reg. No. 32,173 as my patent attorneys/agents of Antonelli, Terry, Stout & Kraus, LLP, with offices located at 1300 N. 17th Street, Suite 1800, Arlington, VA 22209, and Alan K. Aldous, Reg. No. 31,905; Robert D. Anderson, Reg. No. 33,826; Joseph R. Bond, Reg. No. 36,458; Richard C. Calderwood, Reg. No. 35,468; Cynthia Thomas Faatz, Reg. No. 39,973; Sean Fitzgerald, Reg. No. 32,027; Seth Z. Kelson, Reg. No. 40,670; David J. Kaplan, Reg. No. 41,105; Leo V. Novakoski, Reg. No. 37,198; Naomi Obinata, Reg. No. 39,320; Thomas C. Reynolds, Reg. No. 32,488; Steven P. Skabrat, Reg. No. 36,279; Howard A. Skaist, Reg. No. 36,008; Steven C. Stewart, Reg. No. 33,555; Raymond J. Werner, Reg. No. 34,752; and Charles K. Young, Reg. No. 39,435; my patent attorneys, and Jeffrey S. Draeger, Reg. No. 41,000; Thomas Raleigh Lane, Reg. No. P42,781; Calvin E. Wells, Reg. No. P43,256; and Alexander Ulysses Witkowski, Reg. No. P43,280; my patent agents, of INTEL CORPORATION; with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

Send correspondence to _____
(Name of Attorney or Agent)

ANTONELLI, TERRY, STOUT & KRAUS, LLP, 1300 N. 17th Street, Suite 1800, Arlington, Virginia 22209 and direct telephone calls to _____, tel: 703/312-6600, fax: 703/312-6666.
(Name of Attorney or Agent)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor Raymond S. Tetrick
Inventor's Signature Raymond S. Tetrick Date May 21, 1999
Residence Portland, Oregon Citizenship United States
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Full Name of Second/Joint Inventor _____
Inventor's Signature _____ Date _____
Residence _____ Citizenship _____
(City, State) (Country)
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Full Name of Third/Joint Inventor _____
Inventor's Signature _____ Date _____
Residence _____ Citizenship _____
(City, State) (Country)

Post Office Address _____

Full Name of Fourth/Joint Inventor _____

Inventor's Signature _____ Date _____

Residence _____ Citizenship _____
(City, State) (Country)

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Full Name of Fifth/Joint Inventor _____

Inventor's Signature _____ Date _____

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(City, State) (Country)

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Full Name of Sixth/Joint Inventor _____

Inventor's Signature _____ Date _____

Residence _____ Citizenship _____
(City, State) (Country)

Post Office Address _____

Full Name of Seventh/Joint Inventor _____

Inventor's Signature _____ Date _____

Residence _____ Citizenship _____
(City, State) (Country)

Post Office Address _____

Title 37, Code of Federal Regulations, Section 1.56
Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

S/N 09/317442PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-------------|--------------------------------------|-----------------|------------|
| Applicant: | Raymond S. Tetrack | Examiner: | Unknown |
| Serial No.: | 09/317442 | Group Art Unit: | Unknown |
| Filed: | May 24, 1999 | Docket: | 884.A31US1 |
| Title: | ADAPTIVE PREFETCH OF I/O DATA BLOCKS | | |
| Assignee: | Intel Corporation | Customer No.: | 21186 |

REVOCATION AND POWER OF ATTORNEY
CERTIFICATE UNDER 37 CFR § 3.73(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In accordance with 37 C.F.R. Section 1.36, M.P.E.P. Section 402.05 and 402.07, please
revoke any existing Powers of Attorney, if any, and appoint the following attorneys and/or patent
agents to prosecute this application and to transact all business in the Patent and Trademark
Office in connection therewith:

| | | | |
|---------------------|-----------------|-----------------------|-----------------|
| Aldous, Alan | Reg. No. 31,905 | Malen, Peter L. | Reg. No. 44,894 |
| Anglin, J. M. | Reg. No. 24,916 | Martinez, Anthony | Reg. No. 44,223 |
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| Draeger, Jeffrey S. | Reg. No. 41,000 | Proksch, Michael A. | Reg. No. 43,021 |
| Drake, Eduardo E. | Reg. No. 40,594 | Prout, William F. | Reg. No. 33,995 |
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REVOCATION AND POWER OF ATTORNEY

Serial Number: 09/317442

Filing Date: May 24, 1999

Title: ADAPTIVE PREFETCH OF I/O DATA BLOCKS

Assignee: Intel Corporation

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| Greenberg, Robert A. | Reg. No. 44,133 | Simon, David | Reg. No. 32,756 |
| Greenwald, Bradley A. | Reg. No. 34,341 | Skabrat, Steve | Reg. No. 36,279 |
| Harris, Robert J. | Reg. No. 37,346 | Speier, Gary J. | Reg. No. 45,458 |
| Huter, Jeffrey B. | Reg. No. 41,086 | Steffey, Charles E. | Reg. No. 25,179 |
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STATEMENT UNDER 37 CFR § 3.73(b)

Intel Corporation is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventor filed May 24, 1999 and recorded on Reel 009997, Frames 0276 - 0278.

Pursuant to 37 C.F.R. §3.73(b) I hereby declare that I, David Simon, am empowered to sign this statement on behalf of Intel Corporation, the assignee.

Please direct all correspondence in this case to:

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, Minnesota 55402
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Date September 11, 2003

By

David Simon

Title: Chief Patent Counsel